

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAN 24 2013

JULIA O. DUBLEY, CLERK
BY: *S. Bright*
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal No. 7:13-cr-000 <u>09</u>
)	
)	
v.)	<u>INDICTMENT</u>
)	
)	<u>Violations:</u>
PAUL TRAXEL)	21 U.S.C. § 841(a)(1) & (b)(1)(C)
)	18 U.S.C. § 922(g)(5)(A)
)	18 U.S.C. § 924(c)

COUNT ONE

The Grand Jury charges:

1. That on or about August 8, 2011, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly and intentionally distribute a controlled substance, to wit: a mixture and substance containing a detectable amount of testosterone cypionate, an ester of testosterone, an anabolic steroid, and a Schedule III controlled substance.

2. All in violation of Title 21, United States Code, Sections 802(41)(A) and 841(a)(1) and (b)(1)(C) and 21 CFR 13000.01(b) and 1308.13(f).

COUNT TWO

The Grand Jury charges:

1. That on or about June 15, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of 1,4-Butanediol, a controlled substance analogue as defined in

Title 21, United States Code, Section 802(32), to the extent the substances were intended for human consumption as provided in Title 21, United States Code, Section 813.

2. All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT THREE

The Grand Jury charges:

1. That on or about July 18, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of 1,4-Butanediol, a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), to the extent the substances were intended for human consumption as provided in Title 21, United States Code, Section 813.

2. All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT FOUR

The Grand Jury further charges:

1. That on or about July 18, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, then being an alien illegally and unlawfully in the United States, did knowingly and unlawfully possess a firearm, that is, a Heckler and Koch, USP Compact 40 caliber semi-automatic pistol, and ammunition, in and affecting interstate commerce.

2. All in violation of Title 18, United States Code, Section 922(g)(5)(A).

COUNT FIVE

The Grand Jury further charges:

1. That on or about July 18, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly use and carry a firearm, that is a Heckler and Koch, USP Compact 40 caliber semi-automatic pistol, during and in relation to, and did knowingly possess a firearm in furtherance of, a drug trafficking offense for which they may be prosecuted in a court of the United States, as heretofore set forth in Count Three of this Indictment.
2. All in violation of Title 18, United States Code, Section 924(c).

COUNT SIX

The Grand Jury charges:

1. That on or about July 26, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of 1,4-Butanediol, a controlled substance analogue as defined in Title 21, United States Code, Section 802(32), to the extent the substances were intended for human consumption as provided in Title 21, United States Code, Section 813.
2. All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT SEVEN

The Grand Jury further charges:

1. That on or about July 26, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, then being an alien illegally and unlawfully in the United States, did knowingly

and unlawfully possess a firearm, that is, a DC Industries, Model M70AB2 (AK-47 type), 7.62 X39 caliber semiautomatic rifle, and ammunition, in and affecting interstate and foreign commerce.

2. All in violation of Title 18, United States Code, Section 922(g)(5)(A).

COUNT EIGHT

The Grand Jury further charges:

1. That on or about July 26, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly use and carry a firearm, that is a DC Industries, Model M70AB2 (AK-47 type), 7.62 X39 caliber semiautomatic rifle, during and in relation to, and did knowingly possess a firearm in furtherance of, a drug trafficking offense for which they may be prosecuted in a court of the United States, as heretofore set forth in Count Six of this Indictment.

2. All in violation of Title 18, United States Code, Section 924(c).

COUNT NINE

The Grand Jury further charges:

1. That on or about November 2, 2012, in the Western District of Virginia, the defendant, **PAUL TRAXEL**, did knowingly and intentionally distribute a controlled substance, to wit: a mixture and substance containing a detectable amount of 3,4-Methylenedioxymethamphetamine ("MDMA"), also known as "Ecstasy", a Schedule I controlled substance, and did aid and abet in the commission of this offense.

2. All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

NOTICE OF FORFEITURE

1. Upon conviction of one or more of the felony offenses alleged in this Indictment the defendant shall forfeit to the United States:

- a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses, pursuant to 21 U.S.C. § 853(a)(1).
- b. any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said offenses, pursuant to 21 U.S.C. § 853(a)(2).
- c. any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances and/or raw materials, as described in 21 U.S.C. § 881(a)(1) and (2), and any proceeds traceable to such property, pursuant to 21 U.S.C. § 881(a)(11) and 28 U.S.C. § 2461(c).
- d. any firearms and ammunition involved or used in the commission of said offenses, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. **Money Judgment**

An undetermined sum of U.S. Currency in that such sum in aggregate was obtained directly or indirectly as a result of said offenses or is traceable to such property.

b. **United States Currency and/or financial account(s)**

1. All funds on deposit, Bank of America Acct. No 004110900562, held in the name of Paul Traxel.

c. **Conveyances**

1. 2004 BMW 4dr, VIN WBAGN63474DS50137, Black
2. 2003 Extreme Custom motorcycle, VIN: 1X9MH062X30005025


3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL this 24th day of January, 2013.

James C. Lepore
FOREPERSON


for TIMOTHY J. HEAPHY
UNITED STATES ATTORNEY